

REMARKS

Claims 40, 52, 54, 56, 60, and 61 have been amended and are pending and under consideration. No new matter is presented in this amendment.

REJECTIONS UNDER 35 U.S.C. §102:

Claims 40, 52, 54, and 60-61 are rejected under 35 U.S.C. §102(b) as being anticipated by Nonomura et al. (U.S. Patent 5,915,067 A hereinafter Nonomura). The applicants respectfully traverse.

Nonomura does not disclose all the limitations of claim 40. The Examiner construes the video title set disclosed in Nonomura as the title recited in claim 40, the video title set management information disclosed in Nonomura as the title identification information and the title information recited in claim 40. The Examiner also construes the title access type information recited in claim 40 as corresponding to the level ID contained in the program chain information disclosed in Nonomura. Nonomura discloses an information storage medium having a plurality of video title sets (FIG. 5). Each of the video title sets has a plurality of program chains, and each program chain may have a different level ID associated with it (col. 12, lines 61-64). When the video title set is reproduced, the level ID is consulted to determine which program chain to use when reproducing the video title set (col. 19, lines 42-45), and the corresponding program chain is reproduced (FIG. 16, step 133; col. 19, lines 53-55, "the retrieved VOBs are... reproduced by the AV decoder unit 85.") This suggests that at least one program chain will always be reproduced, regardless of the level ID (such as a "program chain for general viewing", col. 12, lines 39-40). Indeed, Nonomura discloses that only one of the program chains is selected and reproduced (col. 12, lines 40-41).

In contrast, claim 40 recites, in part, that the title information comprises title access type information indicating whether reproduction of the title audio/video data stream by a title search to the corresponding title is permitted. Nonomura does not disclose title access type information indicating whether title reproducing by the title search to the corresponding title is permitted. As discussed above, the Examiner construes the level IDs of the program chains as corresponding to the title access type information recited in claim 40 (Office Action, item 6). However, the level ID does not control whether title search to the the video title set is permitted. Title search to, and reproduction of, the video title set is always permitted; the level ID only affects, at best, the result

of the title search, or what aspect of the video title set will be reproduced. The level ID only determines how the video title set will be reproduced. At least one program chain, and therefore the video title set itself, will be accessed regardless of the level ID. Access to the video title set will always be permitted, regardless of the level ID. Since the level ID does not control whether title search to the video title set will be permitted, the level ID cannot indicate whether title reproducing by title search to the corresponding title is permitted, as recited in claim 40.

In addition, Nonomura does not disclose index information comprising startup information designating a title audio/video data stream which is played back automatically when the information storage medium is loaded in a reproducing apparatus. Nonomura is silent as to a title audio/video data stream which is played back automatically when the title information storage medium is loaded. Nonomura is directed toward selective (not automatic) playback of titles based on a parental ID; automatic playback would, presumably, not require such a system because the content being played back automatically would likely be appropriate for all age groups. Accordingly, Nonomura does not disclose all the limitations of claim 40, and the rejection of claim 40 should be withdrawn.

Claim 60 depends from claim 40. The rejection of claim 60 should be withdrawn for at least the reasons given above with respect to claim 40.

Claim 52 recites limitations similar to claim 40. The rejection of claim 52 should be withdrawn for at least the reasons given above with respect to claim 40. Claims 54 and 61 depend from claim 52. The rejection of claims 54 and 61 should be withdrawn for at least the reasons given above with respect to claim 52.

REJECTIONS UNDER 35 U.S.C. §103:

Claim 56 is rejected under 35 U.S.C. §103(a) as being unpatentable over Nonomura et al. (U.S. Patent 5,915,067 A hereinafter Nonomura) in view of Kanazawa et al. (U.S. Patent 6,580,870 B1 hereinafter Kanazawa). Claim 56 depends from claim 52. Nonomura does not disclose all the limitations of claim 52 for the reasons given above, and Kanazawa does not remedy these deficiencies. Accordingly, the applicants submit that the combination of Nonomura and Kanazawa does not disclose all the limitations of claim 56, and the rejection of claim 56 should therefore be withdrawn.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the additional fees to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: 10/17/08
1400 Eye St., NW
Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510

By: Gregory L. Clinton
Gregory L. Clinton
Registration No. 59,134